

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF MICHIGAN

IN RE: EARL CARROLL

Debtor

CHAPTER 11

HON. SCOTT W. DALES

CASE NO. 14-05844

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EARL CARROLL

Plaintiff

Adv. No. 14-80219

v

BANK OF NEW YORK MELLON CORPORATION, f/k/a THE BANK OF NEW YORK, AS TRUSTEE  
FOR THE CERTIFICATEHOLDERS OF THE CWMBS INC., CHL MORTGAGE PASS THROUGH TRUST 2006-HYB2, MORTGAGE PASS THROUGH CERTIFICATES, SERIES 2006-HYB2  
(hereinafter, BNY MELLON)

Defendant \_\_\_\_\_ /

**Report of Parties' Rule 26(f) Conference**

Pursuant to Fed. R. Bankr. P. 7026 and Fed. R. Civ P. 26(f), a conference was held by phone on January 7, 2015, participated in by:

Kurt O'Keefe, Attorney for Plaintiff Earl Carroll,

John Stoddard, Attorney for Defendant BNY MELLON

This is submitted as the required report of that conference.

**1. Initial Disclosures Required by Fed. R. Civ P. 26(a)1**

The initial disclosures are waived.

**2. Discovery Plan**

The parties jointly propose to the Court the following discovery plan:

- (a) Discovery will be needed on the following subjects: The exact collateral for Plaintiff's mortgage with Defendant, and, the value of that collateral.
- (b) All Discovery to be completed by July 15, 2015.
- (c) Maximum of 25 Interrogatories by each party.
- (d) Maximum of 25 requests for admission by each party.
- (e) Maximum of 5 depositions by Plaintiff and 5 by Defendant.
- (f) each deposition is limited to a maximum of 4 hours unless extended by agreement of parties.
- (g) Reports from retained experts under Rule 26(a)(2) are due:

from Plaintiff by: May 15, 2015

from Defendant by: June 15, 2015

- (h) Supplementation under Rule 26(e) due by July 15, 2015.

**3. Other Agreed Upon Items:**

- (a) Plaintiff should be allowed until February 15, 2015, to join additional parties, and until February 1, 2015, to add claims.

(b) Defendant shall be allowed until February 15, 2015, to join additional parties, and until February 1, 2015, to add claims.

(c) All potentially dispositive motions should be filed by August 15, 2015.

(d) The proceedings should be ready for trial by October 15, 2015. The trial is expected to last two days.

(e) Jury Trial Matters: The parties have not requested a jury trial.

(f) The parties agree that: This is a core proceeding.

(g) The parties consent to the Bankruptcy Court entering a final order or judgment in this proceeding.

#### 4. **Other Matters**

None.

**5. Matters not Agreed Upon or Insufficiently Addressed by the foregoing:**

None.

Dated: January 7, 2015

/s/ Kurt O'Keefe  
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